

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A method for dynamically updating software an operating system component prior to installation of the software operating system component on at least one destination machine, ~~said software being stored on one or more installation media and being adapted for installation on the destination machine from the installation media~~, said method comprising:

identifying update content related to the software operating system component before installing the software operating system component on the destination machine from ~~the one or more~~ installation media, said operating system component being stored on the installation media and being adapted for installation on the destination machine from the installation media;

obtaining the identified update content from one or more update media, said update media being remote from the destination machine;

merging the update content with the software operating system component stored on the installation media to create an updated software operating system component before installing the updated operating system component on the destination machine; and

installing the updated software operating system component on the destination machine.

Claim 2 (original): The method of claim 1, wherein obtaining update content comprises obtaining update content from one or more media remote from the destination machine via a network.

Claim 3 (original): The method of claim 2, wherein the network is the Internet.

Claim 4 (original): The method of claim 1, wherein the update content includes at least one file.

Claim 5 (original): The method of claim 1, wherein the update content includes a patch.

Claim 6 (currently amended): The method of claim 5, wherein the patch modifies the software operating system component on the installation media prior to installation on the destination machine.

Claim 7 (original): The method of claim 1, wherein the update content includes a driver for controlling hardware on the destination machine.

Claim 8 (previously presented): The method of claim 1, wherein identifying the update content comprises analyzing hardware or software or both on the destination machine.

Claim 9 (original): One or more computer readable media having computer-executable instructions for performing the method recited in claim 8.

Claim 10 (currently amended): The method of claim 1, wherein the software operating system component comprises operating system software or application program software or both.

Claim 11 (currently amended): The method of claim 1, wherein merging the update content with the software operating system component comprises one or more of the following: patching, replacing, and adding to the software operating system component on the one or more installation media.

Claim 12 (currently amended): The method of claim 1, further comprising extracting at least one file from the update content during the installation of the operating system component.

Claim 13 (original): The method of claim 1, further comprising pre-processing the update content in preparation for installation.

Claim 14 (currently amended): The method of claim 1, wherein the software operating system component comprises one or more files, and wherein installing the updated software operating system component on the destination machine comprises:
searching the update content for each of the files; and

searching the one or more installation media for each of the files not found in the update content.

Claim 15 (currently amended): The method of claim 1, further comprising specifying a key in a registry to automate installation of the updated software operating system component.

Claim 16 (previously presented): One or more computer readable media having computer-executable instructions for performing the method recited in claim 1.

Claims 17 – 26 (canceled).

Claim 27 (currently amended): One or more computer-readable media having one or more computer-executable components for dynamically updating software an operating system prior to installation of the software operating system on a destination machine, ~~said software being stored on an installation medium and being adapted for installation on the destination machine from the installation medium~~, said components comprising:

a publishing component for identifying update content related to the software operating system stored on the installation medium before installing the software operating system, said operating system being stored on one or more installation media and being adapted for installation on the destination machine from the installation media;

an updating component on the destination machine for obtaining the update content identified by the publishing component from a source remote from the destination machine, said updating component further applying the obtained update content to the software operating system to update the software operating system prior to installation of the updated operating system on the destination machine ~~software~~; and

an installation component for installing the updated software operating system on the destination machine.

Claim 28 (previously presented): The computer-readable medium of claim 27, further comprising a repository component for storing the update content and delivering the update content to the updating component.

Claim 29 (original): The computer-readable medium of claim 28, wherein a communications medium connects the updating component and the repository component.

Claim 30 (original): The computer-readable medium of claim 29, wherein the communications medium is the Internet.

Claim 31 (original): The computer-readable medium of claim 27, wherein the update content includes one or more files selected from a group consisting of drivers, replacement files, and patches.

Claim 32 (currently amended): The computer-readable medium of claim 27, wherein the update content comprises one or more files, and wherein the updating component includes routines for:

- analyzing hardware or software or both on the destination machine;
- requesting at least one of the files related to the analyzed hardware or software or both;
- receiving the requested files; and
- applying the received, requested files to the software operating system on the installation medium.

Claim 33 (original): The computer-readable medium of claim 32, wherein the routine for analyzing hardware or software or both on the destination machine comprises a routine for gathering meta-data information to identify the files to be requested.

Claim 34 (original): The computer-readable medium of claim 33, wherein the meta-data information is selected from a group consisting of SKU, version information, connection speed, processor information, and a flag to indicate an upgrade installation or a new installation.

Claim 35 (canceled).

Claim 36 (currently amended): The computer-readable medium of claim 27, wherein the update content supersedes the software operating system on the installation medium during installation.

Claim 37 (previously presented): The computer-readable medium of claim 27, wherein the publishing component verifies the update content.

Claim 38 (currently amended): A system for dynamically updating ~~software~~ an application program prior to installation on at least one destination machine, said system comprising:

means for identifying update content relating to the software application program stored on one or more installation media, said ~~software~~ application program being adapted for installation on a destination machine;

means for obtaining the update content identified by the means for identifying from one or more update media, said update media being remote from the destination machine on which the ~~software~~ application program is to be installed;

means for merging the update content obtained by the means for obtaining with the ~~software~~ application program on the installation media to create an updated software application program, said updated ~~software~~ application program being created before the ~~software~~ application program is installed on the destination machine; and

means for installing the updated ~~software~~ application program on the destination machine.

Claim 39 (currently amended): The system of claim 38, wherein the ~~software~~ application program comprises operating system software ~~or application program software or both~~.

Claim 40 (currently amended): The method of claim 1, wherein the ~~software~~ application program comprises a first plurality of files, wherein the update content comprises a second plurality of files, and wherein installing the updated ~~software~~ application program on the destination machine comprises replacing one or more of the first plurality of files with corresponding files from the second plurality of files.

Claim 41 (currently amended): The method of claim 1, wherein the obtained update content comprises one or more files, and wherein merging the update content comprises adding the one or more files to the ~~software~~ application program.

Claim 42 (previously presented): The method of claim 8, wherein obtaining the identified update content comprises obtaining, from the one or more update media remote from the destination machine, update content specific to the analyzed hardware or software or both on the destination machine.